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**UTILITY PATENT
APPLICATION TRANSMITTAL**
(Only for new non-provisional applications
under 37 CFR 1.53(b))

Check Box, if applicable [] Duplicate

| | | | |
|--|--------|-------------|--|
| Attorney Docket No. | 040021 | Total Pages | |
| First Named Inventor or Application Identifier | | | |
| Hiroshi AKIYAMA and Kazutoshi TAKAGI | | | |
| Express Mail Label No. | | | |

**APPLICATION ELEMENTS For:
OPERATION MICROSCOPE APPARATUS**

ADDRESS TO: Commissioner for Patents
MAIL STOP BOX PATENT APPLICATIONS
P.O. Box 1450
Alexandria, VA. 22313-1450

1. Fee Transmittal Form (Incorporated within this form)
(Submit an original and a duplicate for fee processing)
 2. Specification Total Pages **[50]**
 3. Drawing(s) (35 USC 113) Total Sheets **[12]**
 4. Oath or Declaration Total Pages **[2]**
 - a. Newly executed (original)
 - b. Copy from prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed).
 - i. Deletion of Inventor(s)
Signed statement attached deleting inventor(s) named in prior application,
see 37 CFR 1.63(d)(2) and 1.33(b)
 5. Incorporation by reference (useable if box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
 6. Microfiche Computer Program (Appendix)
 7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement Verifying identity of above copies
- ACCOMPANYING APPLICATION PARTS**
8. Assignment Papers (cover sheet and document(s)) to: KABUSHIKI KAISHA TOPCON, Tokyo, Japan.
Please publish the assignee data with the application.
 9. 37 CFR 3.73(b) Statement (when there is an assignee) Power of Attorney

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| PAGE 2 OF 3 | |

10. [] English translation Document (if applicable)
11. [XX] Information Disclosure Statement [1] Copy of IDS Citations w/PTO-1449 & 2 references
12. [XX] Preliminary Amendment
13. [XX] Return Receipt Postcard (MPEP 503)
14. [] Small Entity Status is claimed.
15. [XX] Claim for Convention Priority [] Certified copy of Priority Document
a. Priority of Japanese application no. 2003-22833 filed on January 30, 2003 is claimed under 35 USC 119.
16. [] Other _____
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:
[] Continuation [] Division [] Continuation-in-part (CIP) of prior application no. _____

| FEE TRANSMITTAL The filing fee is calculated below | Number Filed | Number Extra | Rate | Basic Fee \$ 770.00 |
|---|--------------|--------------|-----------|------------------------|
| Total Claims | 9 - 20 | | x \$18.00 | |
| Independent Claims | 1 - 3 | | x \$86.00 | |
| Multiple Dependent Claims | | | \$290.00 | \$ 290.00 |
| Filing Fee | | | | |
| Reduction by 1/2 for small entity | | | | \$1060.00 |
| Fee for recording enclosed Assignment | | | \$40.00 | \$ 40.00 |
| TOTAL | | | | \$1100.00 |

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| PAGE 3 OF 3 | |

[XX] A check in the amount of \$1100.00 is enclosed to cover the filing fee of \$770.00, the fee of \$290.00 for multiple dependent claims and the assignment recordation fee of \$40.00.

[] Please charge our Deposit Account No. **01-2340** in the total amount of _____ to cover the filing fee and the _____ assignment recordation fee. A duplicate of this sheet is attached.

[XX] The Commissioner is hereby authorized to charge payment for any additional filing fees required under 37 CFR 1.16 or credit any overpayment to Deposit Account No. **01-2340**.

18. CORRESPONDENCE ADDRESS:

Armstrong, Kratz, Quintos,
Hanson & Brooks, LLP
Suite 1000, 1725 K Street, N.W.
Washington, D. C. 20006
Tel: (202) 659-2930
Fax: (202) 887-0357



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PATENT TRADEMARK OFFICE

Typed or Printed Name **William G. Kratz, Jr.** Reg. No. **22,631**

Signature

Date: **January 28, 2004**

WGK:jaz